

12 September 2022

Keiran Thomas care of Lewis Demertzi
Department of Planning, Industry and Environment
Level 17, 4 Parramatta Square
Parramatta NSW 2150

Sent via Email: Lewis.Demertzi@planning.nsw.gov.au

Our Reference: Penrith Regatta Smart Poles

Your Reference: DA 22/5820

To the Minister

RE: Request for Additional Information for DA 22/5820, Telecommunications Facilities, Penrith lakes

Proposal: Optus Smart Pole Telecommunications Facility (2)

Address: 153 Old Castlereagh Road, Castlereagh

Property: Lot 21 on DP 1092147

I refer to the above application and Department's request for information (RFI) dated 14 July 2022 and 28 July 2022. Please find below our response to the RFI.

The RFI dated 14 July 2022 required response to the below mentioned issues:

1. Aboriginal heritage – raised in the Heritage NSW submission:

An Aboriginal Due Diligence Assessment Report was submitted with the development application. The report concludes it is highly unlikely that Aboriginal objects are present at any location within the subject site at 153 Old Castlereagh Road, Castlereagh. Therefore, an Aboriginal Cultural Heritage Assessment Report (ACHAR) is not required. In addition, the Due Diligence Assessment Report also confirms that an Aboriginal Heritage Impact Permit (AHIP) is not required.

2. Biodiversity – raised in the EHG submission:

The proposal will have minimum impact to biodiversity. The proposed small poles will be constructed in altered cleared and disturbed land and will only impact minimal grassed area.

The associated utility works will utilize the existing utility duct wherever possible. Some minor excavation is required in areas where no existing utility duct is present – in these areas an Environmental Management Plan will be followed.

The EMP requires a number of environmental protection measures including:

- Underground work preferably to be outside of the Tree Protection Zone (TPZ). If within the TPZ, care must be taken and boring at a sufficient depth (at least 800mm with entry/exit outside of TPZ) or
- hand trenching methods to be used to avoid root damage.
- No pits to be placed inside the TPZ.
- All machinery associated with thrusting or directional boring must remain outside the tree protection zone.
- To avoid destabilising a tree, absolutely no roots to be cut within the 'root plate radius' (RPR), which, measured from the centre of the trunk is estimated at: 90cm for 10cm diameter tree; 200cm for 30cm diameter tree; 260cm for 50cm diameter tree; 290cm for 70cm diameter tree; 350cm for 100cm diameter tree.
- When unavoidable to cut a root (outside of the RPR), only roots smaller than the following diameters may be cut: 30mm for trees <5m tall; 50mm for trees 5/15m tall; 70mm for trees >15m tall. Cut roots using cutting device – do not rip with excavating machinery or tools.
- In all situations where the TPZ is likely to be encroached by construction activities, the Land & Environment Group should be contacted in order to decide whether an arborist is to be engaged to provide advice on tree protection solutions, in accordance with Australian Standards 4970:2009, Protection of Trees on Developments sites.

A detailed summary of the proposed utility route within the subject site is present within the response to Earth Works within this RFI response.

It is considered that the proposal has limited risk of causing harm to existing vegetation and creating issue with biodiversity in the area. However, any risk is offset through the mitigation measures within the EMP.

3. Impact on flood behaviour up to PMF level – raised in the EHG and Penrith Council submissions:

Assessment on the flood impact at PMF has been completed. The updated flood impact assessment is attached and uploaded to the planning portal.

4. Impact of flooding on the proposed facility – raised in the EHG and Penrith Council submissions:

The proposed Smart Poles are being deployed to allow for additional mobile voice and data capacity to the area, especially for events in the International Regatta Centre. They have lower level of importance in the Optus network in terms of resilience. In the event of an emergency, coverage to the area will be provided by large macro sites in Penrith and Cranebrook.

The Smart Poles can function up to 570mm in water depth, in the event the water line moves higher the radio equipment will become too hot due to lack of airflow, which would result in shut down of the facilities.

There are two existing macro base stations (monopoles) located within 2km of the proposed Smart Poles (RFNSA no. 2750014 and 2750040), these base stations have high resilience and will provide emergency services during flood events.

The proposed smart pole and pole foundation will be designed to withstand the PMF flood level from a structural perspective.

The RFI dated 28 July 2022 required the below mentioned information:

5. Scope of proposal:

The scope of the proposal includes the two smart poles and their associated works within 153 Old Castlereagh Road, Castlereagh. The associated works are presented within the Fibre Route overlay and includes:

- The utilization of the existing Telstra utility duct;
- The establishment of five (5) Optus fibre pits;
- The establishment of new utility duct via horizontal directional drilling between the two smart poles, where no existing utility duct is available.

Fibre works outside of the subject site will be undertaken under the *Telecommunications Act 1997*.

6. Earthworks

It is noted that many of the items within the 'Earthworks' subheading within the RFI appear to relate to non-earth work items such as 'the effect of the development on the existing and likely amenity of adjoining properties'. We have endeavored to address these questions with reference to earthworks and the wider project as relevant.

The extent of Earthworks is considered to be minimal. Only a limited amount of excavation is required at the location of each proposed smart pole to establish the foundation. Earthworks associated with the fibre works will be limited to Horizontal Directional Drilling which will occur only where no existing duct is available.

From Castlereagh Road the fibre will utilise an existing utility duct along the northern portion of Penrith Regatta Lake until the first Smart Pole (S3122 Sydney International Regatta Centre SC1). From this point additional trenching via Horizontal Directional Drilling will be run north through the existing car park until it reaches the existing Telstra duct. From the northern Telstra duct the fibre will once again run through a sub-duct within the existing utility duct. No trenching is required where an existing utility duct is utilised. Horizontal Direction Drilling will once again be deployed between the final Telstra breakout pit to the second smart pole (S3165 Sydney International Regatta Centre SC2). The full detail of this route is presented within the submitted Fibre Rout proposal with mark-up.

All earthworks will follow the Environmental Management Plan, with particular reference to 'Soil erosion and sediment control' to allow for the avoidance and minimization of impacts of Earthworks. This includes:

- Returning soil in the correct order, keeping top soil at the top;
- Establishing sediment fencing where required
 - Install a sediment fence on the low side of the construction site and follow the contour of the slope. Fence stakes are not to exceed 3m apart. The fence mesh is to be installed 150mm deep, turning to the upside slope.
- Soil disturbance in an area will be minimised at all times to keep exposed areas as small as possible.

Regarding fill, trenching spoil will be re-used as fill and, as per the EMP, the works will separate the organic/soil layers from the lower horizons of excavated soil/fill and re-instate in the same order (i.e. keep topsoil at the top).

Once complete, all fibre works will be underground and are expected to have no impact on drainage patterns. The above ground works, the smart poles, are very slim and have minimal footprint and will not impact drainage patters.

The proposal is intended to support the existing use at the subject site as it will provide better mobile voice and data capacity to support events on at the Penrith Regatta Centre. We are not aware of any intended plans to sub-divide or change the use of the subject site, which was purpose built as a regatta Centre and Conference Centre.

The proposed Earthworks, as they will be underground, will not have any visual impact on the surrounding area, once completed. Further detail and assessment of the proposals visual impact is provided within Section 8.1 of the Statement of Environmental Effects, uploaded to the Planning Portal.

As per Section 1 of this report, an Aboriginal Due Diligence Assessment Report was submitted with the development application. The report concludes it is highly unlikely that Aboriginal objects are present at any location within the subject site. Should any relics be found, due process within the EMP and the Due Diligence Assessment report will be followed.

7. Construction traffic management plan

The Traffic Management Plan has been updated as per request. The updated plan is attached and uploaded to the Planning Portal.

8. Reference to historical Environmental Planning Instruments

The Statement of Environmental Effects (SEE) has been updated as per request. The updated SEE is attached and uploaded to the Planning Portal.

Should you require more information or wish to discuss the matter further, please do not hesitate to contact me on jackiexuetan.pan@servicestream.com.au or 0409 552 541

Yours sincerely,

Jackie Pan
Town Planner
Service Stream Limited

Level 3, Tower B, Zenith Centre
821 Pacific Highway
Chatswood NSW 2067

Mobile: +61 409 552 541
Email: jackiexuetan.pan@servicestream.com.au